

11/10/15, Michigan Sheriffs Association Testimony re: HBs 4209, 4210, and 4827  
Sheriff Gene Wriggelsworth, Ingham County Sheriff  
Terry Jungel, Executive Director and CEO, Michigan Sheriffs Association

MSA TESTIMONY RE: MEDICAL MARIHUANA:

Thank you, Mr. Chair and members for the time this morning to testify on HB 4209, HB 4210, and HB 4827, bills intended to establish more structure and governance surrounding medical marihuana. MSA supports the effort contained herein and thanks the sponsors, specifically Rep. Callton, for working with us to improve the bills this year. Medical marihuana is supported by the people of Michigan, and while MSA can never agree with it as policy, it remains Michigan law and we must therefore regulate and provide sufficient governance around it to provide for the public safety. In addition, a clear regulatory structure will help eliminate confusion as to what is legal and what is not, making enforcement of the law clearer and less ambiguous. MSA supports the other testimony given by our sister law enforcement agencies. MSA submits the following suggestions to improve the bills and help achieve the ends already stated:

HB 4209:

Inspection:

County and local law enforcement need to have the right to inspect licensed facilities at any time, as we do with bars under the liquor control act, pawnbrokers under the pawnbroker act, and car dealers under the vehicle code. Inspection by local police is a valuable tool for making sure licensees are in compliance with the law and to enforce the act. MSA supports language to allow for such inspections by local law enforcement.

Funding:

The funding division contained in HB 4209 makes sense, although the gross retail income tax itself may need to be adjusted, and MSA is grateful that sheriffs and local units are funded. In addition, MSA supports adding the Michigan Commission on Law Enforcement Standards (MCOLES) to the state assessment levied by LARA. MCOLES serves state police, sheriffs' offices, and local police departments by regulating professional peace officer licensing, training standards, and disciplinary action. Stable funding has been elusive for more than 15 years, and MCOLES has been using training money for law enforcement, prosecutors, and defense attorneys in recent years to keep it going. The establishment of MCOLES funding through the LARA assessment is both relevant and timely.

Finally, MSA supports funding for local police departments in the form of 5% for training for local police from the 25% currently reserved for the state general fund.

Local Control:

MSA supports as much control at the local unit of government as is possible. This act will be dealt with by locals, in local communities, and it will affect our constituents' lives. MSA will support local units in any amendments to regulate product, licensing, zoning, renewals, and revocations.

Licensing:

MSA suggests capping the number of licenses for growing and dispensing in some manner, perhaps similar to the liquor control act, so that there aren't more operations than can effectively be regulated.

#### Technical Issues:

Pages 2, 3, 4, 5 – Remove “commercial” from the definitions. MSA believes removing “commercial” will help eliminate any potential loopholes for charity/non-profit or other organizations.

Page 42, line 22-24 – Require growers to log inventory into tracking system. This is the beginning of the process, so it is appropriate that the system begins at the nursery prior to any transfers/sales.

#### HB 4210:

##### Caregivers:

Under this package of bills, while progress will be made to regulate some parts of the MM industry, in large measure caregivers and patients are left alone and this is likely where the system will break down. The labeling and packaging requirements are a good first step, but caregivers should also be subject to licensing, inspection, and transport provisions. Once the system is up and running, there will be no need for caregivers to grow product, since patients will be able to access marijuana at dispensaries. MSA suggests that caregiver growing should be sunsetted after a period of years. Transportation should then be licensed.

##### Quantities:

HB 4210 lists quantity equivalents for an ounce of MM in liquid, gaseous, and solid form products and we don't know where those numbers came from, except to say they were in the last bill. We would like to see the basis for the numbers and their defense. We believe the numbers are likely too high, especially in the case of liquid equivalents (36 ounces of hash oil for example). These numbers need to be set through science.

#### HB 4827:

##### Tracking:

MSA has no recommendations for the tracking bill, except that it include caregivers.

#### Conclusion

Once again, MSA thanks Rep. Callton for his hard work and effort to work with law enforcement and others this year. It is clear that significant progress has been made from last year. MSA urges you to consider the changes outlined in our testimony and hopes to work with you to further improve the bill and be serve as a resource for you as you continue to deliberate this important issue. We are available for questions.